

77-066/2

18 February 1971

MEMORANDUM FOR: Deputy Director for Support
Director of Communications

SUBJECT : A Bill to Direct the Secretary of Commerce
to Conduct a Study and Investigation of the
Allocations of Frequencies for Telecommunica-
tions

1. The Chairman of the Committee on Interstate and Foreign
Commerce has requested an Agency position concerning the attached
bill, H. R. 538, (Tab A).

2. The identical bill was submitted in the last session and an
Agency position at that time was coordinated internally and forwarded
to the Office of Management and Budget. The attached report (Tab B)
is the same as submitted previously except for the change in bill
numbers.

3. If there are no objections, copies of the attached report
will be submitted to the Office of Management and Budget.

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JOHN M. MAURY
Legislative Counsel

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Attachments

25X1

CONCUR:

John W. Coffey
Deputy Director for Support

25 FEB 71
Date

24 FEB 1971

Date

Director of Communications

92^D CONGRESS
1ST SESSION

H. R. 538

IN THE HOUSE OF REPRESENTATIVES

JANUARY 22, 1971

Mr. BROYHILL of North Carolina introduced the following bill; which was referred to the Committee on Interstate and Foreign Commerce

A BILL

To direct the Secretary of Commerce to conduct a comprehensive study and investigation of the allocation of frequencies for telecommunications for the purpose of formulating an allocation system to achieve the maximum use of the frequencies for such communications.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) the Secretary of Commerce (hereafter in this Act
4 referred to as the "Secretary") shall conduct a comprehen-
5 sive study and investigation of the principles and techniques
6 of allocating frequencies of the electromagnetic spectrum for
7 telecommunications for the purpose of formulating an alloca-
8 tion system to achieve the maximum use of the frequencies

1 for such communications. In such study the Secretary shall
2 include—

3 (1) an evaluation of the organization and pro-
4 cedures used by the Federal Government in discharging
5 its responsibilities under the Communications Act of
6 1934 for the allocation, management, and control of
7 bands of frequencies for telecommunications, including
8 an evaluation of the current procedure of allocating
9 blocks of frequencies to specific categories of uses and
10 the alternative procedures that may be used for the
11 allocation of frequencies;

12 (2) an evaluation of the facilities and techniques
13 that can be used to acquire the data needed to plan
14 for the fullest use of the electromagnetic spectrum, in-
15 cluding data on current and future uses of frequencies
16 and the incidence of cases of interference between uses
17 made of frequencies; and

18 (3) an evaluation of the design and performance
19 standards applicable to equipment used in telecom-
20 munications.

21 (b) The Secretary shall submit to the President and to
22 the Congress interim reports from time to time and a final
23 report not later than twenty-four months after the date of
24 enactment of this Act. Such final report shall contain a
25 detailed statement of the findings, conclusions, and recom-

1 mendations of the Secretary, and may propose such legisla-
2 tion or other action as the Secretary considers necessary to
3 carry out his recommendations.

4 SEC. 2. In order to carry out his functions under this
5 Act, the Secretary is authorized to—

6 (1) appoint and fix the compensation of such em-
7 ployees as he deems necessary without regard to the pro-
8 visions of title 5, United States Code, governing ap-
9 pointments in the competitive service and without regard
10 to the provisions of chapter 51 and subchapter III of
11 chapter 53 of such title relating to classification and Gen-
12 eral Schedule pay rates;

13 (2) obtain the services of experts and consultants
14 in accordance with the provisions of section 3109 of title
15 5, United States Code, but at rates for individuals not to
16 exceed \$100 per diem; and

17 (3) enter into contracts with corporations, busi-
18 ness firms, institutions, and individuals for the conduct
19 of research and surveys and the preparation of reports.

20 SEC. 3. (a) The Secretary is authorized to request
21 from any department, agency, or independent instrumen-
22 tality of the Federal Government any information he deems
23 necessary to carry out his functions under this Act; and
24 each such department, agency, or independent instrumen-
25 tality is authorized and directed to cooperate with the

1 Secretary and to furnish such information to him upon his
2 request.

3 (b) The head of any Federal department, agency, or
4 independent instrumentality is authorized to detail to the
5 Secretary, on a reimbursable basis, any personnel of such
6 department, agency, or independent instrumentality to assist
7 the Secretary in carrying out his duties under this Act.

8 SEC. 4. Any information which is reported to or other-
9 wise obtained by the Secretary, or by any other officer or
10 employee of the Federal Government, while engaged in
11 carrying out this Act and which contains or relates to a
12 trade secret or other matter referred to in section 1905 of
13 title 18 of the United States Code, shall not be disclosed
14 except to other officers or employees of the Federal Govern-
15 ment for their use in carrying out this Act. Nothing in the
16 preceding sentence shall authorize the withholding of in-
17 formation by the Secretary (or any officer or employee under
18 his control) from the duly authorized committees of the
19 Congress.

20 SEC. 5. There is authorized to be appropriated not to
21 exceed \$1,000,000 to carry out the purposes of this Act.

22 SEC. 6. The authority of the Secretary under this Act
23 shall terminate ninety days after the submission of his final
24 report under subsection (b) of the first section.

92D CONGRESS
1ST SESSION

H. R. 538

A BILL

To direct the Secretary of Commerce to conduct a comprehensive study and investigation of the allocation of frequencies for telecommunications for the purpose of formulating an allocation system to achieve the maximum use of the frequencies for such communications.

By Mr. BROTHMAN of North Carolina

JANUARY 22, 1971

Referred to the Committee on Interstate and Foreign
Commerce

12. HD 52 2 01 B3J



CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D. C. 20505

OFFICE OF THE DIRECTOR

The Honorable Harley O. Staggers, Chairman
Committee on Interstate and Foreign Commerce
House of Representatives
Washington, D. C. 20515

My dear Mr. Staggers:

This is in response to your request of February 9, 1971 for report and comment on H. R. 538, a bill "To direct the Secretary of Commerce to conduct a comprehensive study and investigation of the allocation of frequencies for telecommunications for the purpose of formulating an allocation system to achieve the maximum use of the frequencies for such communications."

While this Agency has no objection to the proposed bill, our review indicates that H. R. 538 assigns responsibilities to the Secretary of Commerce which duplicate in some measure the responsibilities of the Director of Telecommunications Policy whose functions were established by Executive Order No. 11556, dated September 4, 1970.

The Office of Management and Budget advises that there is no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

Richard Helms
Director



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SECRET

ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FROM:

Legislative Counsel
7 D 35 Hqs.

EXTENSION

NO.

DATE

18 February 1971

TO: (Officer designation, room number, and building)

DATE

RECEIVED

FORWARDED

OFFICER'S
INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1. Director of Communications
GA 43 Hqs.

24 Feb.

2.

3. Deputy Director for Support
7 D 18 Hqs.

25 FEB 1971

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5. OLC
7 D 35 Hqs.

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CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

3 MAR 1971

Honorable George P. Shultz
Director, Office of Management
and Budget
Washington, D. C. 20503

Dear Mr. Shultz:

There is transmitted herewith a proposed report on H. R. 538, a bill "To direct the Secretary of Commerce to conduct a comprehensive study and investigation of the allocation of frequencies for telecommunications for the purpose of formulating an allocation system to achieve the maximum use of the frequencies for such communications."

Advice is requested as to whether there is any objection to the the submission of the proposed report from the standpoint of the Administration's program.

Sincerely,

[Redacted Signature]

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[Redacted]
John M. Maury
Legislative Counsel

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Enclosure

Distribution:

Orig. & 3 - Addressee
1 - DDS
1 - D/Commo
✓ - Subject
1 - Chrono

OLC [Redacted] (18 February 1971)

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